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UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA, SOUTHERN DIVISION

INSINKERATOR LLC, a Delaware limited liability company,

19 Plaintiff,

20 | V.

JONECA COMPANY, LLC, a Delaware limited liability company, and THE JONECA CORPORATION, a California corporation,

Defendants.

Case No.: 8:24-cv-02600-JVS-ADS

**PLAINTIFF INSINKERATOR
LLC'S RESPONSE TO
DEFENDANTS JONECA
COMPANY LLC AND THE
JONECA CORPORATION'S
OBJECTIONS TO THE REBUTTAL
DECLARATION OF WILLIAM R.
EISENSTADT, PH.D.**

1 Plaintiff InSinkErator LLC (“InSinkErator”) responds to portions
2 Defendants Joneca Company, LLC and The Joneca Corporation’s (“Joneca”)
3 Objections to the Rebuttal Declaration of William R. Eisenstadt, Ph.D.
4 (“Eisenstadt Reb. Decl.”) (ECF 47–1), which Joneca filed in opposition to
5 InSinkErator’s Motion for Preliminary Injunction (ECF 55), as set forth below.

6 **I. PRELIMINARY STATEMENT**

7 Joneca’s objections to Dr. Eisenstadt’s statements in Paragraphs 5 (lines
8 9–10 only), 8–14, 19, 21–23, 38–40, and 42 of his declaration are meritless. Dr.
9 Eisenstadt has established that his testimony is relevant, reliable, and reliable
10 expert opinion. (*See* ECF 28, Declaration of William R. Eisenstadt (“Eisenstadt
11 Orig. Decl.”).) His testimony sufficiently outlines his relevant knowledge, skill,
12 experience, training, and education to make the conclusions therein; he explains
13 the standards he considered to reach his conclusions; and his testimony proves
14 that his conclusions are based on reliable principles and methods. This Court
15 should therefore overrule Joneca’s objections.

16 **II. ARGUMENT**

17 **A. Relevant Legal Standards**

18 The relevant legal standards for expert testimony are as set forth in
19 Plaintiff’s response to Defendants’ objections to Dr. Eisenstadt’s opening
20 declaration, (ECF 44).

21 In addition, “[r]elevancy simply requires that the evidence logically
22 advance a material aspect of the party’s case.” *Ruvalcaba-Garcia*, 923 F.3d at
23 1188. Evidence is relevant if it has “any tendency to make the existence of any
24 fact that is of consequence to the determination of the action more probable or
25 less probable than it would be without the evidence.” Fed. R. Evid. 401
26 (emphasis added). This standard is a “low threshold.” *Brown v. DirecTV, LLC*,
27 Case No. CV 13-1170-DMG, 2022 U.S. Dist. LEXIS 107244, *21 (C.D. Cal.
28

1 May 19, 2022) (finding testimony “cross[ed] the low threshold of relevance.”)
2 (quoting *Tennard v. Dretke*, 542 U.S. 274, 285 (2004)).

3 Within this legal framework, and contrary to Joneca’s arguments
4 otherwise, Dr. Eisenstadt’s testimony is both relevant and reliable. This court
5 should rely on the Eisenstadt Declaration when deciding the preliminary
6 injunction motion.

7 **B. Dr. Eisenstadt’s Testimony Is Relevant.**

8 Although Joneca purports to make a “relevance inquiry” to assess whether
9 Dr. Eisenstadt’s testimony is helpful to the trier of fact’s understanding of the
10 issues (ECF 55 at 9), Joneca never actually assesses the relevance of Dr.
11 Eisenstadt’s testimony per Rule 401. Instead, Joneca insists that Dr. Eisenstadt’s
12 testimony is not helpful simply because it is contrary to the opinions of its own
13 expert. Yet, baldly stating that Dr. Eisenstadt’s testimony is irrelevant because
14 it is contradicted by the opposing party’s expert is insufficient to show that the
15 testimony should be excluded. Joneca’s baseless conclusion should have no
16 bearing on the Court’s analysis of whether that testimony has a tendency to make
17 more probable or less probable the existence of any fact that is of consequence
18 to the determination of the action, per Rule 401. That Joneca’s expert has
19 submitted contrary testimony on the same subject matter only demonstrates that
20 Joneca understands Dr. Eisenstadt’s testimony is relevant, and thus its objection
21 is disingenuous.

22 **C. Dr. Eisenstadt’s Testimony Is Reliable and Helpful.**

23 As explained in Plaintiff’s response to Defendants’ objections to Dr.
24 Eisenstadt’s opening declaration, Dr. Eisenstadt has the necessary knowledge,
25 skill, experience, training, or education to make his conclusions. (ECF 44.) Dr.
26 Eisenstadt has specialized as “an expert in the field of electronic circuitry and
27 in the design and testing of circuits for ignition systems and power electronics,
28 including power integrated circuit design and testing” for 45 years, and has

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1 “significant direct experience in power electronics and power systems, engine
2 ignition systems and electric motors.” (Eisenstadt Orig. Decl. ¶¶ 1–3).

3 Dr. Eisenstadt testifies as to how his knowledge, skill, experience,
4 training, and education qualifies him to opine about the proper standard for
5 garbage disposal horsepower testing. Dr. Eisenstadt testified that: “Reviewing
6 and understanding the specifications contained in standards requires basic
7 engineering skills, and I am very experienced in doing so. I regularly use
8 standards for my electronics work at the University of Florida.” (Eisenstadt Reb.
9 Decl ¶ 6.) Plainly, he is sufficiently skilled to read and understand specifications
10 and standards regarding electric motors.

11 Further, Dr. Eisenstadt analyzed how garbage disposals are marketed by
12 retailers, retailers’ descriptions of horsepower, and advertising or buyers’ guides
13 on garbage disposals. (*See* Eisenstadt Orig. Decl. ¶¶ 26–30.) He searched “the
14 literature and found no relevant standards or reputable texts in which any
15 engineer categorized the electric power input used by a motor for all purposes
16 as its ‘horsepower.’” (Eisenstadt Reb. Decl ¶ 17.)

17 His conclusions are thus based on the relevant facts he reviewed and
18 grounded in his expertise and years of research in the field. It is plainly helpful
19 to the Court to hear an accurate summary of relevant scientific, engineering, and
20 academic literature and standards and other research conducted by Dr.
21 Eisenstadt within his long-established expertise.

22 **III. CONCLUSION**

23 InSinkErator respectfully asks this Court to overrule Joneca’s objections
24 to the Eisenstadt Rebuttal Declaration.

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1 Respectfully submitted,

2 **KATTEN MUCHIN ROSENMAN LLP**

3 DATED: January 2, 2025

4 By: /s/ David Halberstadter
David Halberstadter

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1 **L.R. 11-6.2. Certificate of Compliance**

2 The undersigned, counsel of record for Plaintiff InSinkErator LLC,
3 certifies that this brief contains 808 words, which complies with the word limit
4 of L.R. 11-6.1.

5
6 Respectfully submitted,

7 **KATTEN MUCHIN ROSENMAN LLP**

8 DATED: January 2, 2025

9 By: /s/ David Halberstadter
10 David Halberstadter

11 *Attorneys for Plaintiff*

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